

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
)
Plaintiff,) Case No. CR06-421-JLR
)
v.)
) DETENTION ORDER
ERNEST M. ROBERTS,)
)
Defendant.)
_____)

Offenses charged:

Count 1: Conspiracy to Defraud the United States with Respect to Claims, in violation of 18 U.S.C. § 286.

Counts 3 and 6: False Claims to IRS, in violation of 18 U.S.C. § 287.

Counts 11 through 13: Fraudulent Use of Another Person's Identification, in violation of 18 U.S.C. §§ 1028 (a)(7) and (b)(1)(D).

Count 15: Conspiracy to Commit Bank Fraud, in violation of 18 U.S.C. § 1349.

Date of Detention Hearing: November 17, 2006.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds the following:

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

(1) Defendant has a background history of failures to appear in Court as required.

01 There is an outstanding warrant in the State of Oregon.

02 (2) On September 28, 2005, the defendant was placed on State of Washington
03 DOC supervision, yet has never reported for supervision purposes. He has a history of
04 failures to comply with court orders.

05 (3) The AUSA has proffered that the defendant fled to Oregon when he learned of
06 the IRS investigation relating to the charges in this case. He then allegedly began to open
07 businesses fraudulently in Oregon under his brother's name.

08 (4) The defendant has family ties to Canada.

09 (5) There appear to be no conditions or combination of conditions other than
10 detention that will reasonably address the risk of flight. In addition, based on the charges, the
11 presents the risk of economic danger to the community, which cannot be reasonably
12 addressed by means other than detention.

13 IT IS THEREFORE ORDERED:


14 (1) Defendant shall be detained pending trial and committed to the custody of the
15 Attorney General for confinement in a correction facility separate, to the
16 extent practicable, from persons awaiting or serving sentences or being held in
17 custody pending appeal;

18 (2) Defendant shall be afforded reasonable opportunity for private consultation
19 with counsel;

20 (3) On order of a court of the United States or on request of an attorney for the
21 government, the person in charge of the corrections facility in which
22 defendant is confined shall deliver the defendant to a United States Marshal
23 for the purpose of an appearance in connection with a court proceeding; and

24 (4) The Clerk shall direct copies of this Order to counsel for the United States, to
25 counsel for the defendant, to the United States Marshal, and to the United
26 States Pretrial Services Officer.

DATED this 20th day of November, 2006.


JAMES P. DONOHUE
United States Magistrate Judge